

**Minutes of the Judiciary and Law Enforcement Committee
October 14, 2011**

Chair Jean Tortomasi called the meeting to order at 8:30 a.m.

Committee Members Present: County Board Supervisors Jean Tortomasi (Chair), Steve Wimmer, Bill Zaborowski, Peter Wolff, Paul Decker, Dave Falstad, Kathleen Cummings.

Also Present: Legislative Policy Advisor Sarah Spaeth, Legislative Associate Karen Phillips, Emergency Preparedness Director Richard Tuma, Business Manager Lyndsay Johnson, Inspector Steve Marks, Emergency Management Coordinator Bill Stolte, Senior Financial Analyst Bill Duckwitz, County Executive Chief of Staff Shawn Lundie, Adolescent and Family Services Manager Peter Slesar, Juvenile Center Coordinator Mike Sturdevant, Criminal Justice Collaborating Council (CJCC) Coordinator Rebecca Luczaj, Health and Human Services Director Peter Schuler.

Ordinance 166-O-062: Accept 2011 Adult Drug Court Discretionary Grant Program Award Through The U.S. Department Of Justice – Bureau Of Justice Assistance

Luczaj announced that Waukesha County was awarded a U.S. Department of Justice (USDJ) and Bureau of Justice Assistance (BJA) Drug Court Grant for \$350,000 over three years, to be used between October 1, 2011-September 30, 2014.

Luczaj distributed and reviewed a handout titled Drug Court Grant Application Summary, September 2011. The program will follow a deferred prosecution model, serve 75 clients over three years (25 clients per year) and target non-violent Waukesha County offenders, 18 years of age or older who are high-risk and drug dependent. Matt Hiller has agreed to evaluate the program as he did for Alcohol Treatment Court (ATC).

Luczaj reviewed the timeline:

Grant period begins	October 1, 2011
County Board votes to accept and appropriate grant funding	October 25, 2011
RFP issued for case management	October 31, 2011
Planning period	October 1, 2011-January 31, 2012
Participants enrolled	February 1, 2012

Tortomasi inquired whether the grant funding was already accepted. Luczaj explained the County has 45 days to accept the funding. Approval of this ordinance by the County Board on October 25 would fall within the given timeframe to accept the funds. Program funding will be appropriated into the 2012 Health and Human Services - CJCC budget. No grant funding is expected to be spent in 2011. There is much planning that needs to be done before the program can start. The program will utilize the existing ATC staffing team.

Zaborowski and Cummings agreed that if the program were to continue beyond the grant period, a participation fee requirement should be implemented, similar to that of ATC.

In response to Falstad's questions, Luczaj stated the contract for case management must be put out for bid as part of the federal grant requirements. The grant allows reimbursement for treatment, so if a client gets treatment at Health and Human Services, the County could be reimbursed.

MOTION: Falstad moved, second by Zaborowski, to approve Ordinance 166-O-062.

Tortomasi pointed out a typographical error in the fiscal note. In the last line of the second paragraph, the word “contacted” should be “contracted”.

Motion carried 7-0.

Ordinance 166-O-061: Accept Donated Pontoon Boat From Skipper Buds

Marks and Johnson were present to discuss this ordinance. Marks stated Skipper Bud’s has offered to donate a 1987 pontoon boat and a 2001 outboard motor to the Sheriff’s Department for use with the Cops and Bobbers program and Sheriff’s dive team. The City of Pewaukee would reimburse the County for use of the pontoon boat for the Cops and Bobbers program rather than paying rent for a boat from Smokey’s Bait Shop. The boat is in fairly good condition and the motor is in good working order, with an estimated total value of \$3,575. The pontoon boat would be stored at Waukesha County Highway Operations – Fleet Division. The Sheriff’s Department may come back to the committee in the spring with a request to purchase a trailer with seized funds.

MOTION: Cummings moved, second by Zaborowski, to approve Ordinance 166-O-061.

Motion carried 7-0.

Ordinance 166-O-060: Accept Homeland Security-Urban Area Security Initiative (UASI) FFY 2008 Program Funding And Modify The Emergency Preparedness 2011 Budget To Appropriate Grant Revenues And Expenditures For Purchase Of Credentialing Supplies And Equipment, And Community And Citizen Preparedness Materials

Stolte explained that the Milwaukee UASI 2008 funding cycle resulted in a turn-back of unspent funds from various projects that were under budget. This 2008 funding has to be spent by the end of 2011 or it reverts back to the federal government.

MOTION: Cummings moved, second by Falstad, to approve Ordinance 166-O-060.

The amount of the grant award is \$6,500, of which \$2,000 is designated specifically for the Citizens and Organizations Active in Disaster (COAD) group to purchase supplies and materials for their activities. The remaining \$4500 is designated for credentialing supplies and equipment needed by the Department of Emergency Management. Stolte discussed a project to update all Waukesha County ID cards. Because the County’s ID cards also serve as access cards, there is an added cost of formatting the cards to be National Incident Management System (NIMS) compliant. The grant funding would help pay for the ID card update as well as a pilot business recovery project in the Village of Menomonee Falls. Stolte further explained the details of the pilot project.

Falstad asked would these purchases be necessary regardless of the grant funding? Stolte stated yes, the County and Village of Menomonee Falls would need to fund the purchase. Tuma explained that it would be a future budget decision for the Village as to whether they can afford to do it or not. The businesses that participate in the program would pay a fee that is high enough to support the full operation of program, i.e. issuing of the cards, background checks, training components, etc. Stolte said this type of program is working well in other parts of the country, and he is enthusiastic that it would work here as well. The program would not result in any ongoing costs at the governmental level.

Motion carried 7-0.

Report of the 2011 Annual Inspection of the Waukesha County Juvenile Detention Center

Slesar and Sturdevant were present to report on the recent state Department of Corrections annual inspection of the Waukesha County Juvenile Detention Center. Highlights of the report were reviewed, including:

- Progress from the previous year
- Records and reporting
- Health screening and care
- Nutrition
- Security and fire safety
- Recreation and exercise, hygiene and clothing, visitation
- Discipline
- Observation of juveniles
- Programming
- Physical environment

On the day of the inspection, no violations of administrative code were observed. The inspector commended staff for the work that is accomplished on a daily basis with the juveniles in their care in order to maintain a safe and secure environment.

In response to Tortomasi question, Sturdevant explained the protocol for medical issues and transport of juveniles.

Slesar and Sturdevant answered questions regarding the operation of the facility, lengths of stay, etc. The vast majority of juveniles admitted to the facility are male. A recent change in code, enacted through the state budget, authorizes juveniles to be held in secure detention up to 180 days rather than 30 days; however, the 180 day secure detention stay would require County Board approval. Cummings asked whether Department of Administration or County Board staff have worked toward initiating an ordinance for the change.

Schuler addressed the issues presented with the new change in law. Counties are rethinking their options for sending juveniles to correction institutions versus secure detention for lengthier stays. Waukesha County's facility is not designed to hold a juvenile for extended lengths of time. Lundie stated that the County Executive does not plan to introduce an ordinance that would extend Waukesha County's juvenile secure detention above the 30-day threshold. If an ordinance were presented to address a sentence over 30 days, it would authorize Waukesha County to engage in a contract with Racine County or other appropriate venue which is prepared to detain a juvenile for that length of time.

Cummings recalled that other counties contract with Waukesha County for juvenile detention, which provides a revenue source. Sturdevant confirmed that Jefferson, Ozaukee and Walworth counties contract with Waukesha for both secure detention and shelter care. However, the number of females, like Waukesha County, has been extremely low.

Approve Minutes of September 16, 2011

MOTION: Wimmer moved, second by Falstad, to approve the minutes of September 16, 2011.
Motion carried 7-0.

Correspondence

- Memo from Sheriff Trawicki regarding reimbursement from the state for mutual aid and security assistance provided by the Waukesha County Sheriff's Department to the Dane County Sheriff's Department, Madison Police Department and Capitol Police during the Madison protests.
- Newspaper article dated July 9, 2002 featuring Supervisor Decker (Cummings)

Executive Committee Report of October 3, 2011

Tortomasi reviewed the agenda items discussed at the Executive Committee meeting of October 3, 2011, which included review of the Community Development Block Grant (CDBG), Waukesha County Federated Library System, UW Cooperative Extension and Non-Departmental 2012 budgets.

Future Meeting Date

- November 11, 2011

Legislative Update

Spaeth said she, Lundie and Linda Saafir will attend a countywide lobbying day at the Capitol next week. Issues they will address with legislators include restoration of child support funding and pothole liability.

MOTION: Decker moved, second by Wimmer, to adjourn at 9:35 a.m. Motion carried 7-0.

Respectfully submitted,

Kathleen M. Cummings
Secretary